

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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| TODD HAWKINS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 1:16CV778 |
| |) | |
| ANDREW SAUL, |) | |
| Acting Commissioner of Social Security ¹ , |) | |
| |) | |
| Defendant. |) | |

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and on August 16, 2019, was served on the parties in this action. (ECF Nos. 44, 45). No objections were filed within the time prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED that Plaintiff's June 24, 2016 Complaint be deemed a timely-filed Complaint.

This, the 11th day of September 2019.

/s/ Loretta C. Biggs
United States District Judge

¹ Andrew Saul became the Commissioner of Social Security on June 17, 2019. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Andrew Saul should be substituted for Nancy A. Berryhill as the Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).